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Public Hearing on
Energy Policy Act—Section 368
Energy Corridors in the West:
Draft Programmatic Environmental Impact Statement

Phoenix, Arizona, January 15, 2008, 2:00 p.m.-5:00 p.m.

- Brian Mills: Thank you for joining us for a public hearing on the Draft Programmatic Environmental Impact Statement for Designating Energy Corridors on Federal Lands in the West. I'm Brian Mills from the Department of Energy. I'll be the hearings officer today.
- Before we begin the formal hearing, Helen Hankins from the associate state director from the Arizona State Office of the BLM will make a brief opening statement. But first, if you haven't signed in or let us know that you want to speak at this meeting, you can do so right now at the registration table out front. Handout materials are also available on the information table. Restrooms are located down the hall and to the left, or to the right.
- In the event of a fire or other alarm, please take your personal belongings with you and evacuate the building as quickly, quietly and safely as possible.
- And now, Helen.
- Helen Hankins: Good afternoon. On behalf of the Bureau of Land Management, the Department of Interior, the United States Forest Service and the Department of Agriculture and the Department of Energy, we welcome you to this meeting and hearing here in Phoenix, Arizona, at BLM's national training center. It's a pleasure to have you here and we look forward to comments that you may offer to us today. I just have a few short comments before we get into the presentation.
- The presentation today will talk to you about the Draft Programmatic Environmental Impact Statement for the Designation of Energy Corridors on Federally Managed Lands in the West. This document was prepared by the agencies I just mentioned, to be in compliance with the Energy Policy Act of 2005.
- Currently, as many of you know, applications for rights-of-ways that cross federal lands whether for pipelines or transmission infrastructure are handled on a case-by-case basis without coordination among the managing—the agencies that manage land. Projects for energy transmission, as you know, often cross long distances and various land jurisdictions.
- In 2005, Congress decided to address this situation. Congress requests the federal agencies to take action for the designation of energy transport corridors and also to conduct an environmental review of those proposed designations. This Draft, Programmatic Environmental Impact Statement, that you are going to hear about shortly, constitutes that environmental review.
- It's important to remember that site-specific environmental review will still need to occur for individual projects as appropriate under the national environmental policy act. The Department of Energy, the BLM and the U.S. Forest Service have developed the corridor locations in a three-step process. That process is described on this handout, which is in

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the front where you came in and will also be discussed in the presentation in a few minutes.

This hearing is essentially the fourth step. The public comments that you offer will help refine the locations of these corridors. Our goals—that is the goals of the agencies—are to provide a balance between the improved delivery of energy and resource protection. It is our hope that your comments will provide us assistance in this important effort and to help keep us on track with this work.

Representatives from the Department of Energy, the BLM and the Forest Service are here to listen to your comments today. We appreciate you taking time out of your busy schedule to come and look forward to your participation. Thank you very much for coming out this afternoon.

Brian Mills:

Thank you, Helen. With us today representing the federal interagency team managing this work are Ron Montagna from the BLM and Bob Cunningham from the Forest Service as well as John Krummel from the Department of Energy's Argonne National Laboratory.

We are here to receive your oral comments on the Draft Programmatic Environmental Impact Statement. You can also submit comments via the project website, by fax or by mail. This hearing is being webcast and transcribed so speakers are asked to speak clearly and distinctly into the microphone. If you are having trouble hearing a speaker in the room, please signal me and I'll advise the speaker accordingly.

After everyone who wishes to comment has spoken, I'll close the hearing. So far we have eight people who have requested to speak to this issue today. Each of you will have seven minutes to make your presentation. When you have 30 seconds remaining, I'll notify you so you can wrap up.

This hearing is to take comments on the Draft Programmatic Environmental Impact Statement prepared in response to direction given by Congress to five federal agencies: Energy, Agriculture, Interior, Commerce and Defense. Section 368 directs the Secretaries to designate corridors for oil, gas, hydrogen pipe and electric transmission lines on federal land in the 11 western states, perform necessary reviews such as this PEIS that's the subject of this hearing, incorporate those designations into land use, land management or equivalent plans.

And a separate and distinct public process is expected to begin later this year to identify corridors in the other 39 states.

The statute requires that when the Secretaries designate these corridors, they must specify the corridor centerline, width and compatible uses. Congress also directed the Secretaries to take into account the need for electric transmission facilities to improve reliability, relieve congestion and enhance the capacity of the national grids to deliver electricity.

The Draft Programmatic Environmental Impact Statement proposes designating more than 6,000 miles of corridors; 62 percent would incorporate existing, locally designated corridors and/or rights-of-way; 86 percent would be on BLM land and 11 percent on Forest Service land.

The Draft Programmatic Environmental Impact Statement identifies 166 proposed corridor segments in all 11 western states. If all are included in the follow-on decisions, this would involve amending 165 land-use or equivalent plans.

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Previously designated corridors are outlined in yellow on the project maps. Some of these are proposed for upgrade only. In the case of existing previously designated utility corridors, amendments to land-use plans designating 368 corridors would subject these corridors to the interagency coordination process described in the Programmatic Environmental Impact Statement and would be assigned section 368 criteria.

Using these alone would not meet the requirements of section 368 so we've identified an additional 2,300 miles of proposed corridors. Proposed corridors also vary in width. We used a 3,500-foot starting point to provide flexibility for siting multiple rights-of-way. An energy corridor is defined as a parcel of land identified through a land-use planning process as a preferred location for existing and future utility rights-of-way and that it is suitable to accommodate one or more rights-of-ways which are similar, identical or compatible. Corridor designations assist in minimizing adverse impacts and the proliferation of separate rights-of-way.

A right-of-way is a specific land use authorization, not a change in ownership, that's granted to allow construction and operation of a specific project that's often linear in character, such as a utility line or roadway. Right-of-way permits include requirements for compatible land uses and are not granted until a project applicant has complied with all relevant requirements, including appropriate environmental review.

In November 2007, we published this Draft Programmatic Environmental Impact Statement. Comments are due on February 14th. We will analyze the response to your comments and complete the tasks necessary to prepare a final Programmatic Environmental Impact Statement. We expect to have this ready sometime in mid-2008. The land management agencies will be able to sign records of decision to designate corridors through amendments to their land-use plans no sooner than 30 days after the final Programmatic Environmental Impact Statement is issued.

The Draft Programmatic Environmental Impact Statement analyzes two alternatives: taking no action and the proposed action. Choosing to adopt the no-action alternative would result in continuing ad hoc, uncoordinated development as is done now. The proposed action is the result of a three-step corridor siting process described in detail in Chapter 2 of the Draft Programmatic Environmental Impact Statement.

The first step was to incorporate comments provided by the public during scoping and after the Draft map was released in 2006. Then the agencies worked closely with local federal land managers to accommodate local land-use priorities, incorporate local knowledge of areas and avoid areas known to be incompatible with energy corridors. A handout summarizing this process for determining where the proposed corridors would be located is on the information table and examples of specific corridors are also available on the project website.

We believe that the analysis of these alternatives meets the National Environmental Policy Act's requirement for a hard look. Because the proposed action does not involve any site-specific ground disturbing activity, site-specific National Environmental Policy Act review will be required to support all proposed projects in a 368 designated corridor. And today we don't know when and where any projects will be proposed by applicants seeking to site pipe and/or transmission lines. As a result of this uncertainty, the environmental effects described in Chapter 3 of the Draft Programmatic Environmental Impact Statement are necessarily more general than a site-specific analysis for a known project would be.

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Comments will be most useful if they are specific, include suggested changes or methodologies, provide a rationale for your suggestion and refer to the specific section or page of the Draft Programmatic Environmental Impact Statement.

Finally, we encourage you to submit comments via the project website. It's easy for you; it speeds our ability to get comments into the database for analysis and up on the website for public review, and it doesn't require stamps or envelopes.

I will call speakers in the order in which you registered. Please step up to the microphone and clearly state your name and organization if you're representing one before making your comment. Please limit your oral comments to seven minutes so that everyone who wants to speak today may have a chance to be heard.

I will advise you when you have 30 seconds left so you can wrap up. I will repeat this process until everyone who is registered to speak has had a chance to provide comment. I'll then ask if anyone else wishes to speak.

After those people have had a chance to speak we'll close the hearing and remind you of when comments are due and how to submit them. If you are speaking from a prepared statement, please also leave us a copy of it at the registration desk.

Agency representatives won't be answering questions during the hearing. We'll stay afterwards to discuss the Draft Programmatic Environmental Impact Statement with you. If needed, we'll take a 15 minute break midway through our scheduled time.

If there are no questions on the process we use today, we'll now begin taking your comments.

Male: Brian, if I could make a suggestion. If we go through all the presenters and we still have time, (inaudible).

Brian Mills: You bet. Okay. Our first speaker is Tom Wray followed by Nancy Kroening. Is Tom here?

Tom Wray: Good afternoon. My name is Tom Wray. I'm manager of Transmission and Generation Projects of the SouthWestern Power Group here in Phoenix. Our firm is leading the development activity for the SunZia Southwest Transmission Project. Our company has been an active participant in regional transmission planning initiative in the Western Interconnect for almost a decade.

The SunZia Project will consist of two separate 500kV AC transmission lines that will interconnect loads and resources in Arizona and New Mexico. The project is conceived as an EHV transmission facility for delivering primarily renewable generation resources, particularly wind and solar generation, from their remote locations to market.

As is the case in other regions of the country, these renewables are severely transmission constrained, inhibiting their access to fungible electricity markets. SunZia plans interconnections with existing EHV facilities along its route to improve systems reliability and other bulk power transfers.

As currently scoped, SunZia is approximately 350 miles in length, rides within Arizona and New Mexico and traverses portions of at least seven counties. The project study area generally utilizes many existing linear facilities such as the Interstate 10 Corridor, high pressure interstate natural gas pipelines and other EHV transmission lines. The corridor

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designated by the Department as 81-213 lies within a portion of the study area in Southeastern Arizona and Southwestern New Mexico and could be utilized by SunZia.

The project will be the subject of an Environmental Impact Statement pursuant to NEPA. The Bureau of Land Management will act as the lead federal agency in the EIS. We believe ideally that coordinated regional planning efforts involving affected stakeholders should precede major interstate transmission projects. The underlying concept for the SunZia Project was itself the product of such a process.

The public interest is best served when policy discourages uncoordinated ineffective planning resulting in projects that unwisely duplicate facilities or unnecessarily deplete our environmental resources.

On the contrary, such policy should identify and designate energy corridors that one, utilize existing linear energy and transportation facilities; two, consider dually sited but not necessarily constructed EHV transmission facilities resulting from state or federal siting actions; and three, integrate with agency resource management plans that designate linear energy and transportation corridors.

Information on the progress and planning for the SunZia Southwest Transmission Project is available at our website, www.sunzia.net

Thank you for the opportunity to speak with you today and to the Department of Energy for its efforts with this important matter.

AZP01-001
(cont.)

Brian Mills:

Our next speaker is Nancy Kroening. Nancy's not here. She'll be followed by Phil Hanceford. We'll go ahead and have Phil speak. He'll be followed by Sandy Bahr.

Phil Hanceford:

Good afternoon and thank you for this opportunity to comment on the Westwide corridor Programmatic EIS. My name is Phil Hanceford and I'm here to speak on behalf of the Wilderness Society and its more than 300,000 members and supporters nationwide. We will also be submitting detailed written comments on the Draft EIS.

I wanted to begin by first of all thanking the DOE for the improvements made in the draft from the scoping process. These include avoidance of many special protected places and improved access to information and maps. Even so, there's still many aspects of this document that raise significant concerns.

First, to designate or not designate corridors does not provide the requisite range of alternatives underneath us. This type of large scale federal action that will directly affect our public lands and heritage requires that significant impacts to the environment be evaluated from a variety of different perspectives because this helps the agencies and public see how different actions that are available to the government will impact the environment differently.

AZP02-001

In the Draft EIS, DOE provides only one action alternative and therefore they are in violation of both NEPA and section 368(a)(2) of the EPACT that requires the agency to perform any environmental reviews that may be required to complete the designation of such corridors.

Second, there are numerous special and sensitive public lands that will be heavily impacted by a process that expedites energy transmission through or near these areas. The average corridor is 3,500 feet wide and may accommodate oil, gas, hydrogen pipelines as well as electricity transmission. In allowing for an abridged application

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process for construction gives projects more desirable status within the designated corridors and encourages greater construction and development. This was of course the intent of EPACT section 368 but also was the intent of the act was that the specified uses of the corridors be compatible to existing uses and existing uses of the land. And inconsistent designations should be either moved or not designated.

For example, designating the corridor for expedited construction of oil, gas, hydrogen, electricity transmission and development is not a compatible use with the reservation of the Grand Staircase-Escalante National Monument. The monument provides in part for the protection of the areas remote, undeveloped, primitive frontier state.

This same corridor is also within a mile of the spectacular Paria Canyon/Vermillion Cliffs Wilderness Area that borders and can be accessed from the Whitehouse Trailhead within the monument. It will be interrupted by any construction or project pursuant to the Programmatic EIS.

Here in Arizona there are about a dozen proposed wilderness areas not considered, a couple of national recreation areas, national wildlife refuges directly intersected by corridors, not to mention over 20 other sensitive and protected areas that will experience indirect impact.

It is in the DOE's discretion at this level to declare mandatory avoidance policy for all public lands that have been declared or are proposed to be preserved and afforded a higher standard of protection. Significant areas of concern should be avoided by corridor designations include all NLCS units, national wildlife refuges, national recreation areas, national conservation areas, areas of critical environmental concern, roadless areas, wilderness, wilderness study areas, land identified with wilderness character and citizens' proposed wilderness.

Arizona in particular faces a corridor double-whammy and that it is one of the only two states to have both westwide energy corridors and the national interest electricity transmission corridors designated by the federal government.

The scenario where the NIETCs overlap with the westwide corridors, are especially open to electricity transmission and development projects, the DOE should evaluate this cumulative effect as an extra factor in the anticipated need for electricity transmission considering the implications of having overlapping processes.

And finally, it is apparent from the Draft EIS that there was no serious consideration of the inefficiency, unreliability and vulnerability of the current power grid, nor was the true potential for sustainable renewable energy as a source of supply used for the corridor destinations. The DOE should provide an alternative that shows the agencies and the public the potential to meeting growing energy demands through increased energy efficiency, distributed or disbursed generation and utilizing technology upgrades for the existing grids.

This alternative must also include a realistic potential for renewables to supply a large amount of energy to the grid especially in light of the agency's global climate change, state renewable portfolio standards and increased awareness of energy use and efficiency.

The Wilderness Society looks forward to seeing the agency's ultimate resolution to our concerns and appreciates this opportunity to bring these concerns to your attention. Thank you.

AZP02-002
(cont.)

AZP02-003

AZP02-004

AZP02-005

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Brian Mills: Thank you. Our next speaker will be Sandy Bahr followed by Jon Findley.

Sandy Bahr: My name is Sandy Bahr. I represent the Sierra Club's Grand Canyon Chapter and our more than 14,000 members here in Arizona. The Sierra Club is clearly concerned about these energy corridors across the west, but I'm going to focus on Arizona. That's my area of focus and expertise.

The Sierra Club has a long history of working to protect our public land and particularly our chapter does here in Arizona. We were founded—our particular chapter was founded back in 1966 specifically on protecting public lands including Grand Canyon National Park.

The proposed corridors will have significant impact on wildlife habitat, cultural resources, recreational opportunities and other resources on our federal public lands. The 644 miles of corridors proposed for Arizona will cover more than 360,000 acres of public land. This is significant.

Specifically, we think the agency should first of all have determined whether or not new pipelines or power lines were actually needed and really analyzed the potential to meet growing energy demands through increased energy efficiency, distributed generation and maximizing the use of the existing power grids through technology upgrades before turning to additional or wider corridors on our public land.

AZP03-001

Risks to federal and other affected lands should be realistically and thoroughly assessed so that those risks can then be avoided, minimized and mitigated. The agency should analyze cumulative impacts not only to federal lands but also to state and private lands as well as tribal lands. Even though the PEIS can't designate corridors on lands owned by states and private parties, it really doesn't give the full picture if you're not looking at those as well.

AZP03-002

Consideration to be given to improving access to renewable energies such as wind and solar, and this would be a great opportunity to do that, we all are concerned about the dependence on fossil fuels and the growing impact of climate change. This is a key aspect of what we should be doing relative to siting these.

AZP03-003

Once appropriate locations are designated, projects on federal land should be presumptively limited to those corridors and unfortunately that's not the case. This wouldn't limit where projects go.

AZP03-004

Alternatives should have been considered and presented. This process gave us no action or the preferred alternative. That really doesn't give the public a lot of opportunity to give significant and meaningful comments. We can only look at what we don't like.

AZP03-005

Failure to present and consider a reasonable range of alternatives suggests that the agencies did not take the National Environmental Policy Act requirements seriously. Real alternatives including fewer and alternative corridors should be considered.

Just specifically to Arizona, we're very concerned about corridor number 4146, which runs through the Lake Havasu National Wildlife Refuge, and includes 30 river miles of the Colorado River. A lot of wildlife—important wildlife habitat in that area, Big Horn sheep, numerous species of birds and, of course, this general area is hit—double hit as the previous speaker mentioned.

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	<p>Corridor number 47-231 runs through Lake Mead National Recreation area, again a significant concern and a lot of important wildlife habitat in this area as well. A number of the proposed corridors come within a mile of at least 16 wilderness areas in Arizona and we're going to be provided detailed comments, which list those, as well as in numerous areas that have been included in Citizen Wilderness proposals.</p>	<p>AZP03-007</p>
	<p>For all of these reasons we think the current proposal is inadequate to meet the requirements of the National Environmental Policy Act and also the need for the public to have adequate information to comment meaningfully and most importantly to avoid significant negative impact to our important and sensitive public land. Thank you.</p>	<p>AZP03-008</p>
<p>Brian Mills:</p>	<p>Thank you. Our next speaker is Jon Findley followed by Erik Magnuson.</p>	
<p>Jon Findley:</p>	<p>My name is Jon Findley. I've lived in the Valley of the Sun for more than 15 years and I've been involved in energy and environmental issues for more than 25 years, first in the Midwest and on the East Coast in the Washington, D.C. area. And I think I should first state that I do not object to regional coordinated planning. But I do object to any process that circumvents the current requirements for evaluation of environmental impact on individual projects, which this proposal seems to do.</p>	<p>AZP04-001</p>
	<p>I never cease to be amazed that the mentality of the people here in the west, that landscape (inaudible) that we have, are a renewable resource. Nothing can be further from the truth. Once the bulldozers and earth moving machines come in, that area is irrevocably degraded.</p>	
	<p>Most experts agree that in Arizona we're going to have less and less water in the future. Global warming is real. We seem to be relying more and more on tourism and development and less and less on our agriculture for those very reasons. Yet this proposal would destroy like major landscapes like the one between here and the California border along I-10, which right now is reasonably unobstructed in its view.</p>	<p>AZP04-002</p>
	<p>After implementation of the designations suggested here, it could well become a jungle of electric transmission and gas line right-of-way like what is found west of the border in California.</p>	
	<p>We are besieged with proposed transmission towers here in Arizona and in the region of the west. Arizona of all places should never become the path for power and resource transmission from the west coast to the Midwest or from the southern border area to the north. The corporation commission—Arizona Corporation Commission—has set goals for renewable energy generation, a portion of which would be distributed. Utilities should be spending their rate—their money to develop in-state distributed generation and not proposing billions of dollars for the Transwest Express from Wyoming to Phoenix or major transmission lines to the west coast or the Midwest.</p>	<p>AZP04-003</p>
	<p>We already have degraded areas in the southwest. These lands need to be cared for and utilized with new, more efficient technology before new, undeveloped public lands are plundered. We have the technology to more than double the transmission capacity through existing corridors. Developing these technologies and making them more cost-effective, coupled with conservation and efficiency of energy use, should be our goal, not creating new corridors for the destruction of the natural environment on public land.</p>	<p>AZP04-004</p>
	<p>Thank you.</p>	
<p>Brian Mills:</p>	<p>Thank you. Our next speaker is Erik Magnuson followed by Frank Jozwiak.</p>	

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Frank Jozwiak: Jozwiak.

Brian Mills: That's it, Jozwiak.

Erik Magnuson: Hello. My name is Erik Magnuson from Environment Arizona. We are a relatively new environmental group here in Arizona. We're dedicated to protecting our clean air, clean water and open spaces and I'm sorry I didn't have a chance to prepare as much formal remarks, but I'm going to take off on where my esteemed colleague from the Sierra Club left off.

First of all I would argue that Arizona has one of the most—has one of the highest potentials for solar energy of anywhere in the entire country and that we can use a lot of this solar energy and generate a lot of it literally in our own back yards. And there is not a need, as my colleague Sandy Bahr pointed out, to build these huge new transmission lines to bring in potential coal-fired power from places like Wyoming and places further east to fuel the ever-increasing energy demand.

We should be focusing on renewable energy we can generate here in Arizona, our number one unused resource, and be in position to take advantage economically of the huge variety of benefits this will bring. States like California that have set very aggressive renewable energy standards are now starting to see the economic windfall that has come with the new developing solar industry that they have fostered with policies like this.

So I would submit that Arizona should focus more of its resources on developing more of its own domestic solar energy market and not have to become the corridors for other states' power to bring coal-fired power and other powers to places like southern California.

So in reality, global warming is one of the biggest threats that our entire species has ever faced and the fact that we continue to build these kinds of transmission lines and to move forward with more fossil fuel generated electricity shows a very short-sighted view of the future. Me, personally, I'm going to have to be dealing with a lot of these problems for a very long time and so I'm excited now to start transitioning our economy away from this kind of fossil fuel based generation to more renewable energy generation like I previously mentioned really requires not nearly as much transmission lines.

And so if we can transition the way we generate our electricity from these large central station projects hundreds if not thousands of miles from the source of where the energy is being consumed, we will not only be more efficient, be more economical, and we'll also benefit the environment in the long run.

So thank you very much and [back to Brian].

Brian Mills: Our next speaker is Frank –

Frank: Let me help you.

Brian Mills: Yeah, please.

Frank Jozwiak: Frank Jozwiak.

Brian Mills: Jozwiak.

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Frank Jozwiak:

Pretty much the way it looks. I'm an attorney from Seattle. I came down here specifically for this public hearing. I represent the Quechan Indian tribe of the Fort Yuma Indian Reservation in Arizona and California. The Fort Yuma Reservation is straddled the Colorado River with a portion lying within Arizona, another portion, the larger portion lying within California. The border is to the south of Mexico.

We're particularly concerned about corridor number 115-238. We understand that this proposal, the PEIS that's been distributed deals only with federal lands at this point in time. The Quechan Reservation is technically federal land held in trust for the tribe. It's still, we consider it Indian lands. So does the federal government.

So the maps that are available on the PEIS show the corridor, this particular corridor 115-238 stopping at the eastern edge of the boundary of the Reservation and then beginning again on the western edge. And we'd like to know how you're going to get from point to point and we think we know and what we want to tell you is approximately 3,500 feet wide corridor through the heart of the tribe's Reservation would destroy the Reservation.

The dots that we are connecting from the east side to the west side of the Reservation go right through the southern part of the Reservation, which is where all the development is, where all the agriculture is; it's where all the residence is, it's where the casino is, most importantly, and the tribe is opposed to any disruption of its homeland with an energy corridor to feed San Diego and Los Angeles.

What is the time frame on this? I don't want to take up all your time.

Brian Mills:

(Inaudible) have--

Frank Jozwiak:

You don't have a real strong--

Brian Mills:

You have five more minutes.

Frank Jozwiak:

My issue here is we support the environmental views and all the other views as well but our issue is particularly on land usage for this tribe.

Now on Reservation there are just thousands of cultural resources, cultural artifacts and sites that the tribe is doing everything it can to protect from encroachment of non-Indian land uses. Off Reservation where we have less control, are particularly to the east and Arizona, east of the Colorado River and from the confluence of the Eel River and the Colorado River is the traditional lands of the Quechan tribe. Those are lands where there's just permeated with artifacts, cultural resources and sites.

Any disruption or any further disruption or continued disruption of those areas is destroying this tribe's history both on and off the Reservation. We have several law suits going right now regarding destruction or potential destruction of cultural resources and we're going to continue to fight for the preservation of our history.

Again, the proposed corridor, 115-238 would run through off-Reservation traditional lands as well as on-Reservation and there's a different protection agenda depending on whether it's on or off Reservation from the tribe's point of view and from a legal standpoint. There is a mention in the PEIS that the section 106 process of the National Resource Protection Act will be followed if any of these corridors are actually to be implemented. That's the Cultural Resource Analysis and discovery and mitigation or preservation.

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We have been involved in section 106 process and it's a total failure. Section 106 was not designed to protect Indian resources. It was designed to protect historic resources of the United States and a determination of what's important to the people of the United States is not the same as the determination of what's important to the Quechan tribe and yet the importance of the Quechan tribe is lost in the 106 process. Most sites get designated as not eligible for listing in the National Register and therefore they're up for grabs.

AZP06-003
(cont.)

Our experience is also that even when they do designate a site for eligibility for listing, they still destroy it. We've got like 12 instances right now that are being litigated of sites that were destroyed by federal agencies after designation as eligible under section 106, so section 106 isn't going to help us.

We're going to submit formal comments. I don't want to take up the whole afternoon here. I think that's the main point. The—if you're going to run an energy corridor through Arizona and into California, the tribe's going to oppose it if there's any way they're going to try to run it through the Reservation. I mean, that's the bottom line. And there are other places to go. They're not as ideal. They may not be as cheap, but our Reservation is already permeated with a spider web of oil pipelines and power transmission lines and highways and canals and so on and so forth and all of which took place before there were laws in effect and there was opposition to these things and the tribe is not going to allow this to continue. They've lost so much of their culture already in the last 50 years; I would say they probably lost at least half of it, of the actual artifacts on the physical sites.

AZP06-004

And these sites are not movable. They're in the ground. You can't pick them up and put them in a museum. They're made out of rock. They're made out of lipoic scatters and things like that that you can't remove them. And to the extent you could remove them, you destroy the sacredness of it. So, you've got to go around them.

Thank you.

Brian Mills:

Thank you. If there are no other speakers; anybody else want to speak? If there are no other speakers, we're now going to close this hearing. Thank you for joining us today to provide oral comments on the Draft Programmatic Environmental Impact Statement proposing to Designating Energy Corridors on Federal Lands in the West. Comments on the Draft PEIS are due February 14 and may be submitted online via the project website, by mail or by fax. All comments received by February 14 will be considered in preparing the final Programmatic Environmental Impact Statement. Comments submitted after February 14 will be considered to the degree possible.

And again, thank you.

Speaker:

And remember, we will reconvene if anyone comes in and asks—

Brian Mills:

Right.

Speaker:

(Inaudible) they would like to speak.

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Phoenix, Arizona, January 15, 2008, 6:00 p.m.-8:00 p.m.

Brian Mills: Good evening. Thank you for joining us for a public hearing on the Draft Programmatic Environmental Impact Statement on Designating Energy Corridors on Federal Lands in the West. I'm Brian Mills from the Department of Energy. I'll serve as today's hearing officer.

Before we begin the formal hearing, Helen Hankins from the Arizona State office will make a brief opening statement.

Helen Hankins: Good evening. It's a pleasure to be here. Even though we're small in numbers, I think we'll be great in ideas.

On behalf of the Bureau of Land Management, an agency in the Department of Interior, the U.S. Forest Service within the Department of Agriculture and the Department of Energy, it is my pleasure to welcome all of you here and especially the members of the public who came to either listen or to comment this evening.

You probably know we had a meeting this afternoon which had significantly larger numbers of people participating and I believe there were six people who made statements.

Our purpose this evening is to discuss the Draft Programmatic Environmental Impact Statement which is evaluating the designation of energy transport corridors across federally managed lands in the West. In just a few minutes, there will be a presentation about the Draft Proposed Environmental Impact Statement. This document prepared by the Department of Interior, Department of Energy and the Department of Agriculture will be the document that looks at the environmental impact of the designation of these energy transport corridors. It also meets the requirements of the Energy Policy Act of 2005.

Most of you know that currently applications for rights-of-ways to cross federal lands or pipelines or transmission infrastructure are evaluated on a case-by-case basis without coordination among the agencies that manage federal lands in the west. Many of you are aware that these projects often cover long distances and cross multiple jurisdictions.

In 2005, Congress decided to address this issue and asked agencies to develop a proposal for the designation of energy transport corridors and also to conduct an environmental review of those proposed designations. It's important to remember that specific, site-specific rights-of-way proposals will also have to be evaluated in their own NEPA document at a later date.

The Department of Energy, the BLM and the U.S. Forest Service developed the corridor locations through a three-step process. This process is explained on this map, which is a handout available at the table as you came in; it's also in the document and will be referenced in the later discussion today.

This hearing really constitutes the fourth step of the process. The public comments that we received earlier today and at other meetings across the west as well as this evening will help refine the corridor location. It is our goal to find designation of corridors that will balance improved energy delivery and protect resource values that are important on the federally managed land. This dual goal is key to the agency's strategy and public comment is critical to us staying on this track.

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Tonight there are representatives from the Department of Energy, the Bureau of Land Management—the BLM—and the U.S. Forest Service here to listen to public comments or to answer questions. We appreciate those members of the public who came this evening and are interested in your thoughts and participation. Thank you all very much for coming.

Brian Mills:

Thank you. With us today representing the federal interagency team managing this work are Ron Montagna from the Bureau of Land Management, Bob Cunningham from the Forest Service and John Krummel from DOE's Argonne National Laboratory.

After we finish taking your comments we will stay around to answer any questions you may have.

We are here to receive your oral comments on the Draft Programmatic Environmental Impact Statement. You can also submit comments via the project website, by fax or by mail. This hearing is being webcast and transcribed so speakers are asked to speak clearly and distinctly into the microphone. If you are having trouble hearing a speaker in the room, please signal me and I'll advise the speaker accordingly.

After everyone who wishes to comment has spoken, I'll close the hearing. So far we have people who have requested to speak to this issue.

This hearing will take comments on the Draft Programmatic Environmental Impact Statement prepared in response to direction given by Congress to five federal agencies: Energy, Agriculture, Interior, Commerce and Defense. Section 368 directs the Secretaries to designate corridors for oil, gas, hydrogen pipe and electric transmission lines on federal land in the 11 western states, perform necessary environmental review and incorporate these designations into land use, land management or equivalent plans.

A separate and distinct public process is expected to begin later this year to identify corridors in the other 39 states.

The statute requires that when the Secretaries designate these corridors, they must specify the corridor centerline, width and compatible uses. Congress also directed the secretaries to take into account the need for electric transmission facilities to improve reliability, relieve congestion and enhance the capacity of the national grids to deliver electricity.

The Draft PEIS proposes designating more than 6,000 miles of corridors; 62 percent would incorporate existing, locally designated corridors and rights-of-way; 86 percent would be on BLM land and 11 percent on Forest Service land.

The Draft Programmatic Environmental Impact Statement identifies 166 proposed corridor segments in all 11 western states. If all are included in the follow-on decisions, this would involve amending 165 land-use or equivalent plans.

Previously designated corridors are outlined in yellow on the project maps. Some of these are proposed for upgrade only. In the case of existing previously designated utility corridors, amendments to land-use plans designating 368 corridors would subject these corridors to the interagency coordination process described in the Programmatic Environmental Impact Statement and would be assigned section 368 criteria.

Using these alone would not meet the requirements of section 368 so we've identified an additional 2,300 miles of proposed corridors. Proposed corridors also vary in width. We used a 3,500 foot starting point to provide flexibility for siting multiple rights-of-way.

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An energy corridor is defined as a parcel of land identified through a land-use planning process as a preferred location for existing and future utility rights-of-way and that is suitable to accommodate one or more rights-of-ways which are similar, identical or compatible. Corridor designations assist in minimizing adverse impacts and the proliferation of separate rights-of-way.

A right-of-way is a specific land use authorization, not a change in ownership, granted to allow construction and operation of a specific project that's often linear in character, such as a utility line or roadway. Rights-of-way permits include requirements for compatible land uses and are not granted until a project applicant has complied with all relevant requirements, including appropriate environmental review.

In November 2007, we published the Draft Programmatic Environmental Impact Statement. Comments are due on February 14th. We will analyze and respond to your comments and complete the tasks necessary to prepare a final Programmatic Environmental Impact Statement. We expect to have this ready sometime in mid-2008. The land management agencies will be able to sign records of decision to designate corridors through amendments to land-use plans no sooner than 30 days after the final Programmatic Environmental Impact Statement is issued.

The Draft Programmatic Environmental Impact Statement analyzes two alternatives: taking no action and the proposed action. Choosing to adopt the no-action alternative would result in continuing ad hoc, uncoordinated development as is done now. The proposed action is the result of a three-step corridor siting process described in detail in Chapter 2 of the Draft Programmatic Environmental Impact Statement.

The first step was to incorporate comments provided by the public during scoping and after the Draft map was released in 2006. Then the agencies worked closely with local federal land managers to accommodate local land-use priorities, incorporate local knowledge of areas and avoid areas known to be incompatible with energy corridors. A handout summarizing this process for determining where the proposed corridors would be located is on the information table and examples of specific corridors are also available on the project website.

We believe that the analysis of these alternatives meets the National Environmental Policy Act's requirement for a hard look. Because the proposed action does not involve any site-specific ground disturbing activity, site-specific National Environmental Policy Act review will be required to support all proposed projects in a 368 designated corridor. And today we don't know when and where any projects will be proposed by applicants seeking to site pipe and/or transmission lines. As a result of this uncertainty, the environmental effects described in Chapter 3 of the Draft Programmatic Environmental Impact Statement are necessarily more general than a site-specific analysis for a known project would be.

Comments will be most useful if they are specific, include suggested changes or methodologies, provide a rationale for your suggestions and refer to the specific section or page of the Draft Programmatic Environmental Impact Statement.

Finally, we encourage you to submit comments via the project website. It's easy for you; it speeds our ability to get comments into the database for analysis and up on the website for public review, and it doesn't require any stamps or envelopes.

I will call speakers in the order in which you've registered. Please step up to the microphone and clearly state your name and organization if you're representing one

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before making your comment. Please limit your oral—well, no one wants to make a comment because there's no time limit.

If there are no questions on the process we use today, we'll now begin taking your comments. Anybody who would like to make a comment?

I'm now going to close the hearing. The hearing is closed.

Brian Mills: Well, we'll be here if anybody wants to make a comment, but the formal public hearing is closed. If anybody would like to talk to the interagency team, they're available to answer questions.

Danica Norris: My name is Danica Norris. I'm with the Arizona Wilderness Coalition and I'm the outreach coordinator in the Phoenix area and we are—we work to preserve wilderness areas in Arizona and areas that are roadless. We're concerned about a couple of areas, especially some areas in west Phoenix, in western Maricopa County and also in the western area of Arizona in general.

Some of those areas are what we would call sensitive areas. There are some roadless areas as well and we are concerned that some of the corridors, specifically in that area go through these roadless areas and these sensitive areas. So we would like the agencies just to look at these areas a little further and see if there are alternate places to locate these corridors that don't go through these roadless areas or these sensitive areas that are in the western part of Arizona.

There are also some areas in the northern part of the state that we are concerned about as well but we will be submitting written comments by the deadline. And that's it.

Brian Mills: Thank you very much and that concludes our hearing.

AZP07-001

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**US Department of Energy
West-wide Energy Corridor
Draft Programmatic Environmental Impact Statement
Public Meeting
January 15, 2008
Phoenix, AZ**

Statement of the SunZia Southwest Transmission Project.

Good afternoon.

My name is Tom Wray. I am manager of transmission and generation projects at Southwestern Power Group here in Phoenix. My firm is leading the development activity for the SunZia Southwest Transmission Project. My company has been an active participant in regional transmission planning initiatives in the Western Interconnect for almost a decade.

The SunZia project will consist of two separate 500 kV ac transmission lines that will interconnect loads and resources in Arizona and New Mexico. The project is conceived as an EHV transmission facility for delivering primarily renewable generation resources, particularly wind and solar generation, from their remote locations to markets. As is the case in other regions of the country, these renewables are severely transmission-constrained, inhibiting their access to fungible electricity markets. SunZia plans interconnections with existing EHV facilities along its route to improve system reliability and other bulk power transfers.

As currently scoped, SunZia is approximately 350 miles in length, lies within Arizona and New Mexico and traverses portions of at least seven counties. The project's study area generally utilizes many existing linear facilities, such as the Interstate 10 corridor, high-pressure interstate natural gas pipelines and other EHV transmission lines. The corridor designated by the Department as "81-213" lies within a portion of the study area in southeastern Arizona and southwestern New Mexico and could be utilized by SunZia.

The project will be the subject of an environmental impact statement pursuant to NEPA. The Bureau of Land Management will act as the lead federal agency in the EIS.

We believe ideally that coordinated regional planning efforts involving affected stakeholders should precede major interstate transmission projects. The underlying concept for the SunZia project was itself the product of such a process.

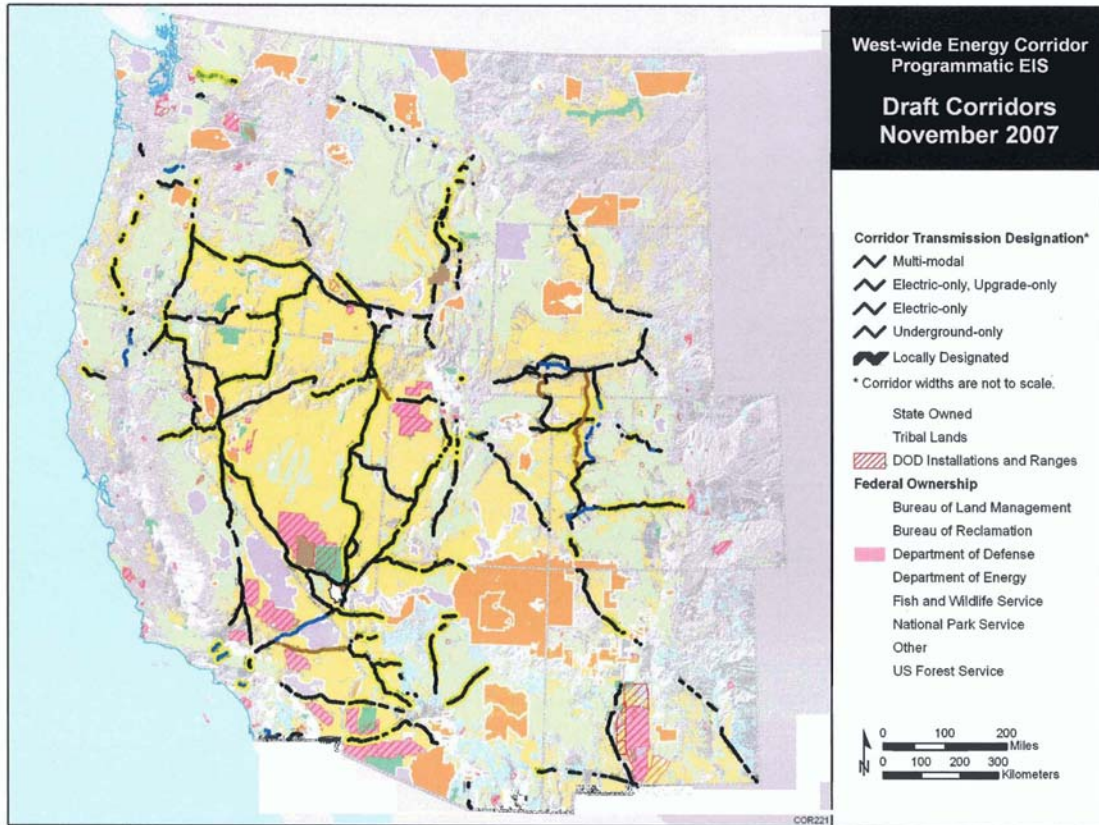
The public interest is best served when policy discourages uncoordinated, ineffective planning resulting in projects that unwisely duplicate facilities or unnecessarily deplete our environmental resources. On the contrary, such policy should identify and designate energy corridors that:

- 1. Utilize existing linear energy and transportation facilities;*
- 2. Consider duly-sited, but not necessarily constructed, EHV transmission facilities resulting from state or federal siting actions; and,*
- 3. Integrate with agency resource management plans that designate linear energy and transportation corridors.*

Information on the progress and planning for the SunZia Southwest Transmission Project is available on our website at www.sunzia.net

Thank you for the opportunity to speak with you today and to the Department of Energy for its efforts with this important matter.

Tom Wray
Southwestern Power Group
SunZia Southwest Transmission Project
E-mail: twray@southwesternpower.com
January 15, 2008



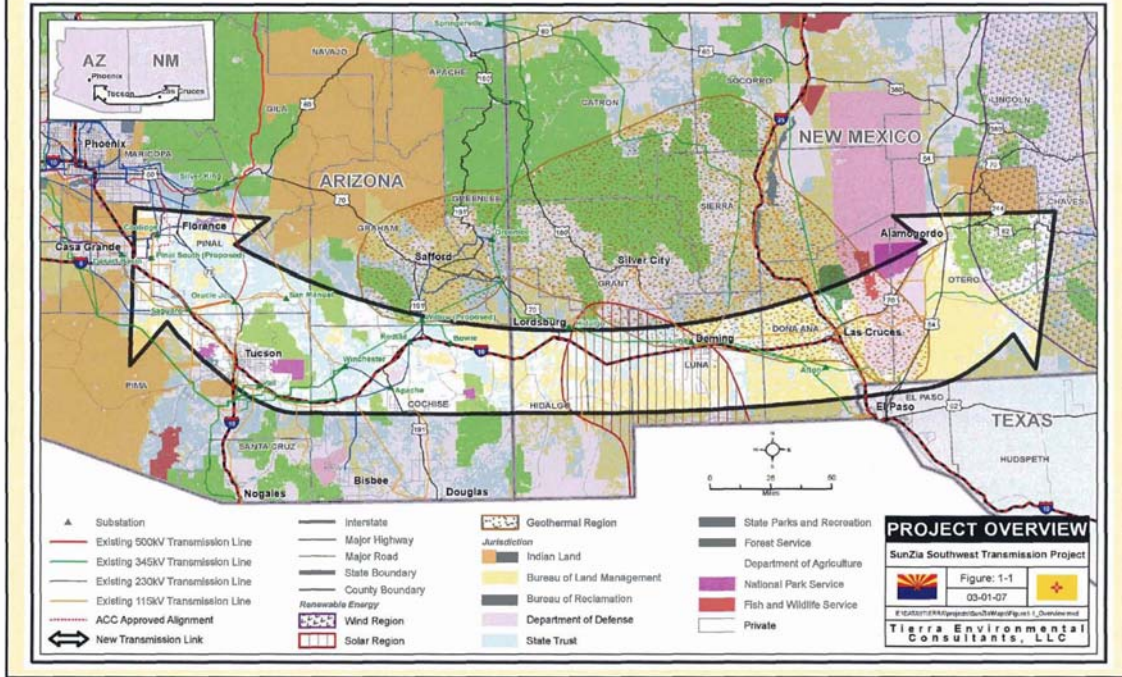
SunZia Southwest Transmission Project



SunZia Project Description

- ◆ Proposed 500kV transmission lines with strategic interconnections for export to Western markets
- ◆ Product of past Southwest Area Transmission (SWAT) planning
- ◆ The SunZia transmission route will connect New Mexico with Arizona: ~ 350 miles
- ◆ Right-of-way applied for will permit up to two, 500kV (AC) lines
- ◆ Ultimate transfer capacity: 3,000 megawatts (MW)

Project Overview



SunZia Participants

- ◆ Project owner is SunZia Southwest, LLC (a Delaware LLC)

- ◆ Entities negotiating the SunZia Memorandum of Agreement (MOA) include:
 - Utility companies
 - Private development companies (like SWPG)
 - Financial investors

- ◆ Target date to execute MOA: January 1, 2008



SWPG and MMR

◆ SWPG is...

- a privately owned project development firm, based in Phoenix, active in the Southwest since 1999
- a developer of generation facilities, including 2,360 MW Gila River Power Station; 1,000 MW Bowie Power Station
- a WECC member

◆ SWPG's owner, MMR, is...

- a privately owned construction services firm, based in Baton Rouge, LA, with annual sales of \$300 million
- experienced in the development and construction of power generation facilities of over 20,000 MW in 31 states and 4 continents

Interstate Transmission

- ◆ New Mexico's Renewable Energy Transmission Authority (RETA) coordinates with regional transmission planning groups to "plan...and negotiate with entities within and outside the state for the establishment of interstate transmission corridors."

- ◆ Arizona Renewable Energy Standard of 2006:
Regulated electric utilities must provide **15%** of total megawatts sold from renewable resources **by 2025** (RES Rules: A.A.C. R14-2-1801)

- ◆ SunZia will deliver power generated by renewable resources to Western markets

Project Activities

Conducted feasibility studies

Studied power-flow interconnections/potential impacts

Performed preliminary route screening

Developed regulatory support

Conducted Open Season for participation

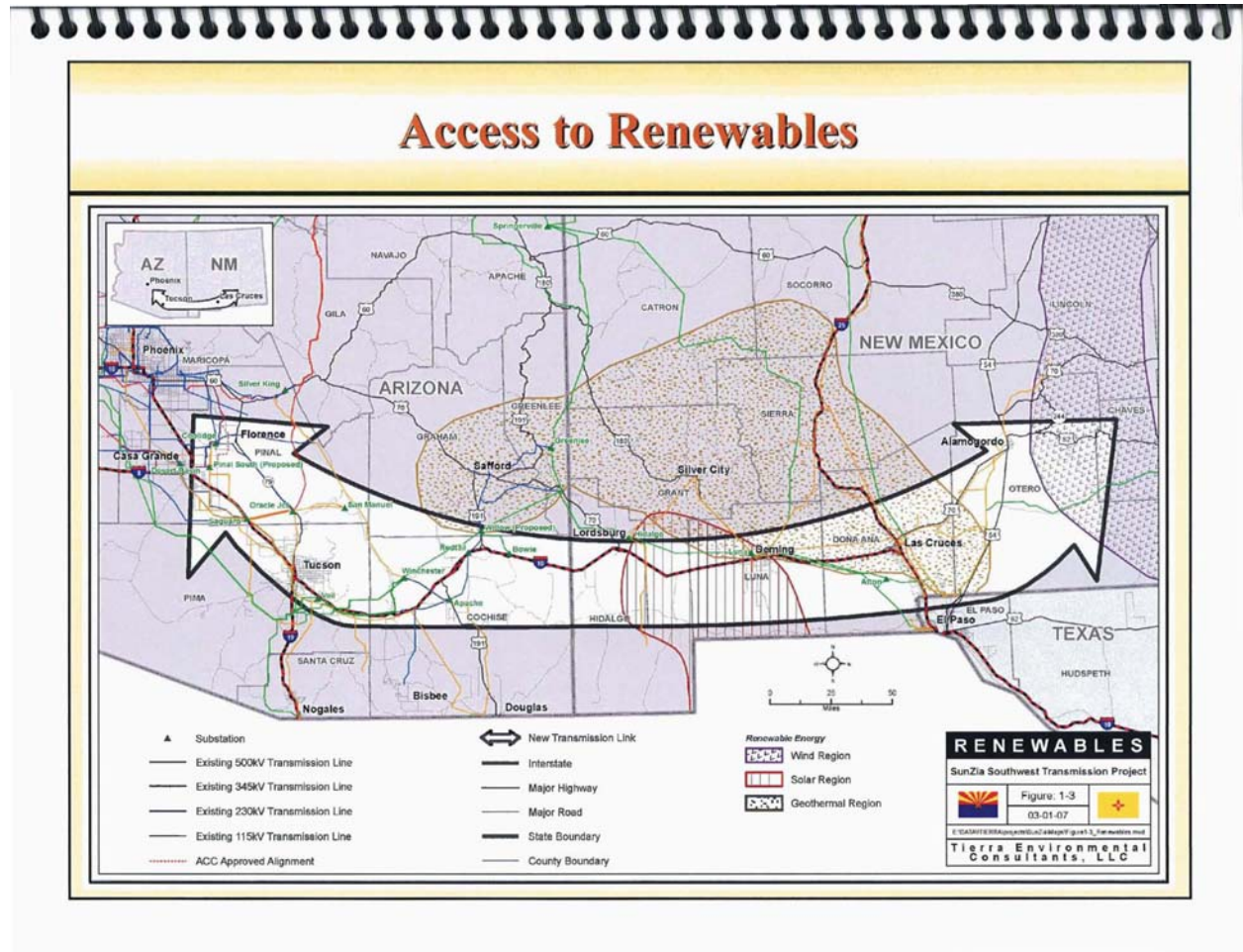
Initiated WVEC project rating process

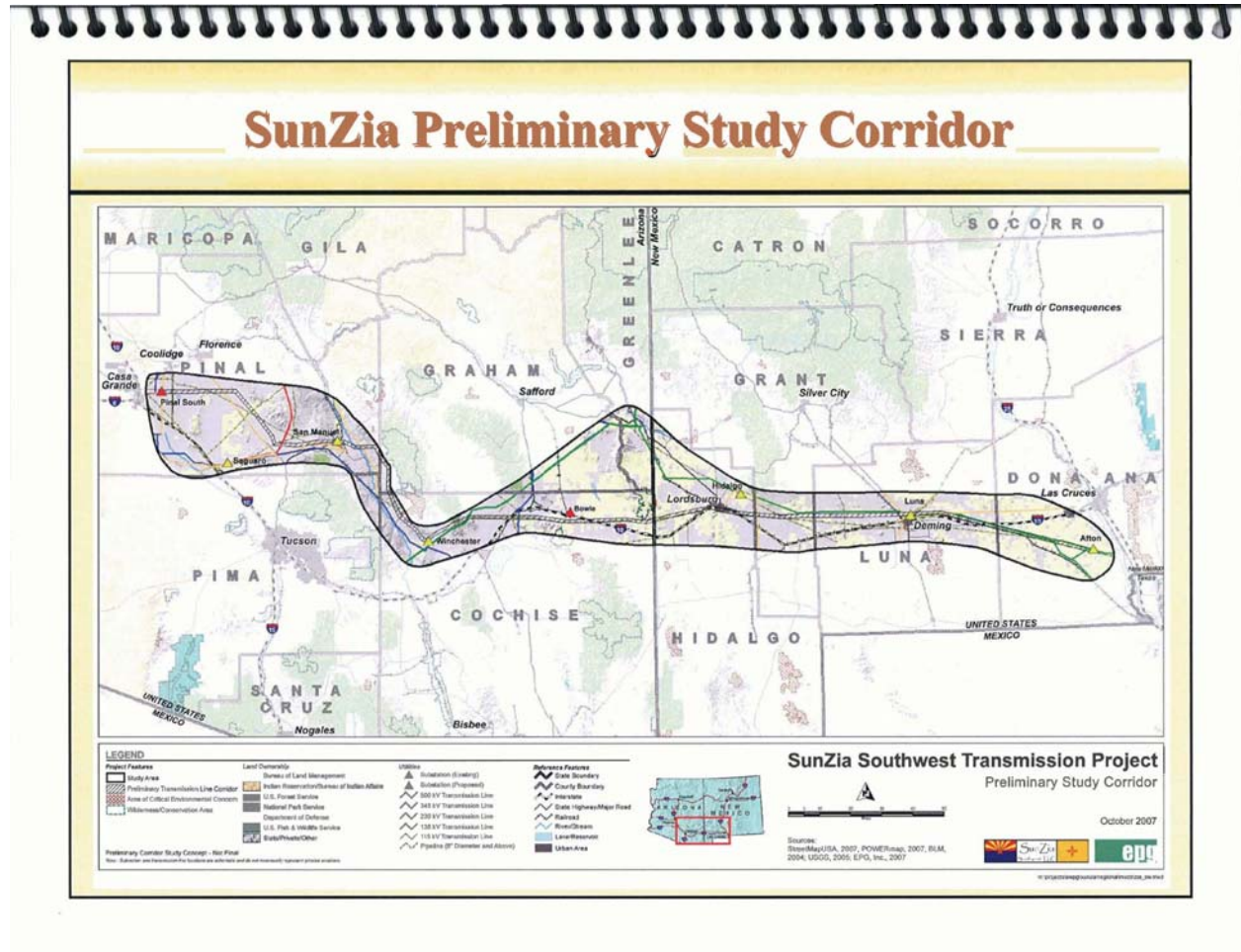
Project Activities (continued)

- ◆ Meetings held with
 - Governor Richardson's staff; Public Regulation Commission; NM Energy, Minerals and Natural Resources Department; and NM Congressional delegation
 - Governor Napolitano's staff, Corporation Commission, Chair of Transmission Line Siting Committee, and AZ Congressional delegation
 - SWAT and Federal Energy Regulatory Commission
 - Bureau of Land Management (BLM) – NM and AZ

Preliminary Route Screening

- ◆ Identified potential collector points for wind and solar energy resources
- ◆ Identified study area/corridor as primarily in southwestern NM and southeastern AZ
- ◆ Inventoried regional environmental resources
- ◆ Identified potential transmission line routes





Project Schedule

Estimated Project Completion Dates:

- ◆ Phase 0 – Development Activity
 - Initiate 06/2006
 - Complete 12/2007

- ◆ Phase 1 – Siting and Permitting
(2 states, 7 counties)
 - Initiate 01/2008
 - Complete 12/2011

- ◆ Phase 2 – Design and Construction
 - Initiate 07/2009
 - Complete 12/2013

Milestones

- ◆ Initiated Development Agreement – March 2007
 - Established project company: SunZia Southwest, LLC and project management roles
 - Developed budget and schedule
 - Drafted Memorandum of Agreement (MOA)
- ◆ Execute MOA – January 2008
- ◆ Initiate BLM NEPA/Scoping Process – January 2008
- ◆ Prepare Environmental Impact Statement (EIS)
- ◆ Obtain EIS Record of Decision, Right-of-Way Permits, and other permits – December 2011
- ◆ In-service – December 2013

Opportunities for New Mexico

- ◆ Provides access to Western markets for renewables
- ◆ Provides points of connection for future RETA-supported collector transmission systems
- ◆ Improves reliability and power transfer throughout the Western Interconnect



Website

www.SunZia.net

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STATEMENT OF PHIL HANCEFORD AT WEST-WIDE ENERGY CORRIDOR PUBLIC MEETING IN PHOENIX, AZ ON JANUARY 15, 2008.

Good afternoon and thank you for this opportunity to comment on the West-Wide Energy Corridor Draft Programmatic EIS. My name is Phil Hanceford and I am here to speak on behalf of The Wilderness Society and its more than 300,000 members and supporters nation-wide. We will also be submitting detailed written comments on the Draft EIS.

I want to begin by thanking the DOE for the improvements made in the Draft from the scoping process, including: avoidance of many special and protected places and improved access to information and maps. Even so, there are still many aspects of this document that raise significant concerns.

First, to designate or not designate corridors does not provide the requisite range of alternatives under NEPA. This type of large-scale federal action that will directly affect our public land heritage requires that the significant impacts to the environment be evaluated from a variety of different perspectives. This helps the agencies and public to see how the different actions that are available to the government will impact the environment differently. In the Draft EIS, the DOE provides only one action alternative and is therefore in violation of both NEPA and section 368(a)(2) of EPAct that requires the agency to "perform any environmental reviews that may be required to complete the designation of such corridors."

Second, there are numerous special and sensitive public lands that will be heavily impacted by a process that expedites energy transmission through or near these areas. The average corridor is 3,500 feet wide and may accommodate oil, gas, and hydrogen pipelines as well as electricity transmission. Allowing for an abridged application process gives projects a more desirable status within the designated corridors and encourages greater construction and development. This was, of course, the *intent* of EPAct, section 368. But, also within the intent of the Act was that the specified uses of the corridor be *compatible* to existing uses of the land. Any inconsistent designations should be either moved or not designated. For example:

- Designating a corridor for expedited construction of oil, gas, hydrogen, and electricity transmission and development is not a compatible use with the reservation of the Grand Staircase-Escalante National Monument. The Monument provides in part for the protection of the area's remote, undeveloped, primitive, frontier state. This same corridor is also within a mile of the spectacular Paria Canyon-Vermillion Cliffs Wilderness Area that borders and can be accessed from the White House Trailhead within the Monument and will be interrupted by any construction of projects pursuant to the Programmatic EIS.

Here in Arizona, there are about a dozen proposed wilderness areas, a couple of National Recreation Areas, and a National Wildlife Refuge directly intersected by corridors. This is not to mention over twenty others sensitive and protected areas that will experience indirect impacts. It is in the DOE's discretion at this level to declare a mandatory avoidance policy for all public lands that have been declared or are proposed to be preserved and afforded a higher standard of protection. Specific areas of concern that should be avoided by corridor designation include:

- All NLCS units

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- National Wildlife Refuges
- National Recreation Areas
- National Conservation Areas
- Areas of Critical Environmental Concern
- Roadless Areas
- Wilderness, Wilderness Study Areas, Lands Identified with Wilderness Character, and Citizen-Proposed Wilderness.

Arizona in particular faces a corridor “double-whammy” in that it is one of the only two states to have both West-Wide Energy Corridors and National Interest Electricity Transmission Corridors designated by the federal government. Thus, areas where the NIETCs overlap with the West-Wide Energy Corridors are especially open to electricity transmission and development projects. The DOE should evaluate this cumulative effect as an extra factor in the anticipated need for electricity transmission considering the implications of having overlapping processes.

Finally, it is apparent from the Draft EIS that there was no serious consideration of the inefficiency, unreliability, and vulnerability of the current power grid, nor was the true potential for sustainable, renewable energy as a source of supply used for corridor designation. The DOE should provide an alternative that shows the agencies and the public the potential to meeting growing energy demand through increased energy efficiency, distributed or dispersed generation, and utilizing technology upgrades for the existing grid. This alternative must also include the realistic potential for renewables to supply a large amount of energy to the grid, especially in light of the age of global climate change, State Renewable Portfolio Standards, and increased awareness of energy use and efficiency.

The Wilderness Society looks forward to seeing the agencies’ ultimate resolution to our concerns and appreciates this opportunity to bring these concerns to your attention.

Thank you.

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The public lands targeted in the Draft Programmatic EIS (PEIS) are part of our national heritage. This means that we should not make decisions about lowering them from their current state of protection to "no protection" without extra-ordinary care and deliberation. Once they are designated and the proposed intrusions are begun, their natural beauty and utility will be gone forever.

I have lived in the Valley of the Sun for more than 15 years now. I have been professionally involved in environmental and energy issues for more than 25 years. I never cease to be amazed by the mentality, particularly in the West that the landscapes and viewscapes we have are a renewable resource. Nothing could be further from the truth. Once the bulldozers and earth moving machines come in, that area is irrevocably degraded.

Most experts agree that Arizona will have less and less water in the future. We seem to be relying more and more of tourism and development for our economic future. Yet this PEIS proposes to destroy a major landscape between Phoenix and the California border along Interstate 10. Today, it is fairly open and free of obstruction. After implementation of this designation it could well become a jungle of electric transmission and gas line right of ways that is found west of the state line.

The proposed corridor through **Lake Havasu National Wildlife Refuge**, is just one example. It is home to bighorn sheep, many species of birds, and provides recreation opportunities for boating, bird watching, and hiking access to the Havasu Wilderness Area and it would be severely compromised by the corridor designation.

We are besieged with proposed transmission paths. Arizona, of all places, should never become the path for power and resource transmission from the West Coast to the Midwest or from the Southern Border Area to the North. The Arizona Corporation Commission had set goals for renewable energy generation, a portion of which must be distributed. Utilities should be spending the ratepayers money to develop in-state distributed generation and not proposing billions of dollars for the TransWest Express from Wyoming or major transmission lines to the West Coast or the Midwest. We already have degraded areas in the Southwest. These lands need to be cared for and utilized with new, more efficient technology before new, undeveloped public lands are plundered. We have the technology to more than double the transmission capacity through existing corridors. Developing these technologies and making them more cost effective, coupled with conservation and efficiency of energy use should be our goal, not creating new corridors for destruction of the natural environment on public lands.

Submitted by
Jon Findley, Tempe, AZ
January 15, 2008